

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 4/29/03.

I. DISPUTE

Whether there should be reimbursement for dates of service 8/05/02 and 9/11/02.

II. RATIONALE

CPT code 99070; Dates of Service 8/05/02 (\$38.50) and 9/11/02 (\$38.50)

The Requestor is requesting reimbursement for supplies and materials for the listed CPT code. The Carrier denied reimbursement as "N" Not documented." The Requestor in their "Request for Reconsideration" to the Carrier submitted medical documentation and an invoice of materials and supplies for the dates of service in dispute. The Carrier submitted their reconsideration EOB and denied as "Not Documented" and requested the invoice for CPT code 99070. Based on TWCC Rule 133.304(c), the Carrier is required to provide sufficient explanation to allow the sender to understand the reason(s) for the carrier's action(s). The Requestor has provided sufficient evidence that the Carrier received the invoice by submitting a fax confirmation sheet dated 3/27/03-showing receipt of the invoice and medical documentation by the Carrier. On this basis, reimbursement in the amount of \$77.00 is recommended.

III. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the Requestor is entitled to reimbursement for CPT code 99070 in the amount of \$77.00. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby ORDERS the Respondent to remit \$77.00 plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Decision and Order is hereby issued this 09th day of February 2004.

Pat DeVries
Medical Dispute Resolution Officer
Medical Review Division

PD/pd